Your framework does not lend itself to requirements. You defend the content of an obligation of a just society. To declare anything definitive about a just society forecloses on the incalculability of our infinite obligation to the other. It does a profound ethical violence to declare finally the obligation of just society. This is not just the argument of your aff. The argument is we cannot connect that obligation with a state of justice, nor can we say this is a general principle of the state because to declare that is the foreclose on the particular of each individual Other.

**First,** to declare something just requires calculation of the specifics of one’s obligation. If you fail to consider all dimensions then to declare it just is to do ethical violence. However, to calculate is to foreclose on justice, because whatever is obligated is obligated now. **DERRIDA:**[[1]](#footnote-1)3. Third Aporia: The Urgency That Obstructs the Horizon of Knowledge. One of the reasons I am keeping such a distance from all these horizons—from the Kantian regulative idea or from the messianic advent, for example, at least in their conventional interpretation— is that they are, precisely, horizons. As its Greek name suggests, a horizon is both the opening and the limit that defines either an infinite progress or a waiting and awaiting. Yet justice, however unpresentable it remains, does not wait. It is that which must not wait. To be direct, simple and brief, let us say this: a just decision is always required immediately, right away, as quickly as possible. It cannot provide itself with the infinite information and the unlimited knowledge of conditions, rules, or hypothetical imperatives that could justify it. And even if it did have all that at its disposal, even if it did give itself the time, all the time and all the necessary knowledge about the matter, well then, the moment of decision as such, what must be just, must [ilfaut] always remains a finite moment of urgency and precipitation; it must [doit] not be the consequence or the effect of this theoretical or historical knowledge, of this reflection or this deliberation, since the decision always marks the interruption of the juridico-, ethico-, or politico-cognitive deliberation that precedes it, that must [doit] precede it. The instant of decision is a madness, says Kierkegaard. This is particularly true of the instant of the just decision that must rend time and defy dialectics. It is a madness; a madness because such decision is both hyper-active and suffered [sur~active et subie], it preserves something passive, even unconscious, as if the deciding one was free only by letting himself be affected by his own decision and as if it came to him from the other. The consequences of such heteronomy seem redoubtable but it would be unjust to evade its necessity. Even if time and prudence, the patience of knowledge and the mastery of conditions were hypothetically unlimited, the decision would be structurally finite, however late it came—a decision of urgency and precipitation, acting in the night of nonknowledge and nonrule. Not of the absence of rules and knowledge but of a reinstitution of rules that by definition is not preceded by any knowledge or by any guarantee as such. If one were to trust in a massive and decisive distinction between performative and constative—a problem I cannot get involved in here—one would have to attribute this irreducibility of precipitate urgency, this inherent irredu- cibility of thoughtlessness and unconsciousness, however intelligent it may be, to the performative structure of “speech acts” and acts in general as acts of justice ..or of law, whether they be performatives that institute something or derived performatives supposing anterior conventions. And it is true that any current performative supposes, in order to be effective, an anterior convention. A constative can be juste, in the sense of justesse, never in the sense of justice. But as a performative cannot be just, in the sense of justice, except by grounding itself [ en se fondant] in on conventions and so on other performatives, buried or not, it always maintains within itself some irruptive violence. It no longer responds to the demands of theoretical rationality. And it never did, it was never able to; of this one has an a priori and structural certainty. Since every constative utterance itself relies, at least implicitly, on a performative structure (“I tell you that I speak to you, I address myself to you to tell you that this is true, that things are like this, I promise you or renew my promise to you to make a sentence and to sign what I say when I say that I tell you, or try to tell you, the truth,” and so forth), the dimension of justesse or truth of theoretico-constative utterances (in all domains, particularly in the domain of the theory of law) always thus presupposes the dimension of justice of the performative utterances, that is to say their essential precipitation, which never proceeds without a certain dissymmetry and some quality of violence. **T**hat is how I would be tempted to understand the proposition of Levinas, who, in a whole other language and following an entirely different discursive procedure, declares that “la νέτΗέ suppose la justice [truth presupposes justice] ”23 Dangerously parodying the French idiom, one could end up saying: “ La justice, il tiy a que ςα de vraiP24 This is, no need to insist, not without consequence for the status, if one can still say that, of truth, of the truth of which Saint Augustine says that it must be “made” Paradoxically, it is because of this overflowing of the performative, because of this always excessive advance of interpretation, because of this structural urgency and precipitation of justice that the latter has no horizon of expectation (regulative or messianic). But for this very reason, it has perhaps an avenir, precisely \}us!c- ment], a “to-come” [ά-venir] that one will have to [quilfaudra] rigorously distinguish from the future. The future loses the openness, the coming of the other (who comes), without which there is no justice; and the future can always reproduce the present, announce itself or present itself as a future present in the modified form of the present. Justice remains to come, it remains by coming [la justice reste cl venir j, it has to come [elle a a venir] it is to-come, the to-come [elle est ά-venir], it deploys the very dimension of events irreducibly to come. It will always have it, this a-venir, and will always have had it. Perhaps this is why justice, insofar as it is not only a juridical or political concept, opens up to the avenir the transformation, the recasting or refounding [la refondation] of law and politics. “Perhaps”—one must [il faut] always say perhaps for justice. There is an avenir for justice and there is no justice except to the degree that some event is possible which, as event, exceeds calculation, rules, programs, anticipations and so forth. Justice, as the experience of absolute alterity, is unpresentable, but it is the chance of the event and the condition of history.

*If an obligation is infinite it would require you would have to calculate it perfectly because any misstep involves an infinite wrong however, such calcuation means that the calcuation of the aff is always indequate to the conclusion it draws. And, we cannot call it just, becuase justice requires immediatae action so to delay doing what is right is a failure of my obligaiton to the other so even the process of the state determining they have an obligation to provide a living wage is unjust, because it trades off with actually fulfilling that infinte obligaiton*

**Second,** to recognize responsibility requires one to freely acknowledge and endorse the interpretation of the ethical rule like ‘pay a living wage,’ but to reinterpret that is to move justice away from the formal obligation to the other. This creates the first aporia for political systems. **DERRIDA (2):**[[2]](#footnote-2)Our most common axiom is that to be just or unjust, to exercise justice or to transgress it I must be free and responsible for my action, my behavior, my thought, my decision. One will not say of a being without freedom, or at least of one who is not free in a given act, that its decision is just or unjust. But this freedom or this decision of the just, if it is to be and to be said such, to be recognized as such, must follow a law [lot] or a prescription, a rule. In this sense, in its very autonomy, in its freedom to follow or to give itself the law [loi], it has to be capable of being of the calculable or programmable order, for example as an act of fairness [iquiti]. But if the act simply consists of applying a rule, of enacting a program or effecting a calculation, one will perhaps say that it is legal, that it conforms to law, and perhaps, by metaphor, that it is just, but one would be wrong to say that the decision was just. Simply because there was, in this case, no decision. To be just, the decision of a judge, for example, must not only follow a rule of law or a general law [loi] but must also assume it, approve it, confirm its value, by a reinstituting act of interpretation, as if, at the limit, the law [loi] did not exist previously—as if the judge himself invented it in each case. Each exercise of justice as law can be just only if it is a “fresh judgment” (I borrow this English expression from Stanley Fish’s article, “Force”).22 This new freshness, the initial!ty of this inaugural judgment can very well—better yet, must [doit] very well—conform to a preexisting law [loi], but the reinstituting, reinventive and freely deciding interpretation of the responsible judge requires that his "justice” not consist only in conformity, in the conservative and reproductive activity of judgment. In short, for a decision to be just and responsible, it must [Ufaut], in its proper moment, if there is one, be both regulated and without regulation, it must preserve the law [loi] and also destroy or suspend it enough to have [pour devoir] to reinvent it in each case, rejustify it, reinvent it at least in the reaffirmation and the new and free confirmation of its principle. Each case is other, each decision is different and requires an absolutely unique interpretation, which no existing, coded rule can or ought to guarantee absolutely. (At least, if the rule does guarantee it in a secure fashion, then the judge is a calculating machine.) This is something that happens sometimes; it happens always in part and according to a parasitmng that cannot be reduced by the mechanics or the technology introduced by the necessary iterability of judgments. To this very extent, however, one will not say of the judge that he is purely just, free, and responsible. But one will also not say this if he does not refer to any law, to any rule, or if, because he does not take any rule for granted beyond his/its interpretation, he suspends his decision, stops at the undecidable or yet improvises outside of all rules, all principles. It follows from this paradox that at no time can one say presently that a decision is just, purely just (that is to say, free and responsible), or that someone is just, and even less, “I am just ” Instead of just one can say legal or legitimate, in conformity with a law, with rules and conventions that authorize calculation, but with a law of which the founding origin [Γorigine fonda- trice] only defers the problem of justice. For in the founding [au fondement] of law or in its institution, the same problem of justice will have been posed and violently resolved, that is to say buried, dissimulated, repressed. Here the best paradigm is the founding [fondation ] of the nation-states or the institutive act of a constitution that establishes what one calls in French Vet at de droit.

1. Jacques Derrida. *FORCE OF LAW: The “Mystical Foundation of Authority.”* 1990. [↑](#footnote-ref-1)
2. Jacques Derrida. *FORCE OF LAW: The “Mystical Foundation of Authority.”* 1990. [↑](#footnote-ref-2)